

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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:
BASEBALL QUICK, LLC, :
:
v. Plaintiff, : Civil Action No. 11-CV-01735
: (TPG)(MHD)
: ECF CASE
:
MLB ADVANCED MEDIA, L.P., ET AL., :
:
Defendants. :-----X

**PLAINTIFF BASEBALL QUICK, LLC'S MOTION
FOR RELIEF PURSUANT TO RULE 56(D)**

Pursuant to Federal Rule of Civil Procedure 56(d), Plaintiff Baseball Quick, LLC (“Baseball Quick”) respectfully moves this Court for an order denying Defendant MLB Advanced Media, L.P.’s Motion for Summary Judgment (“Defendant’s Motion”) as premature and permitting Baseball Quick to take the discovery needed to develop facts in opposition to Defendant’s Motion. In the alternative, Baseball Quick moves that the Court defer consideration of Defendant’s Motion until such time as discovery has been completed.

This motion is supported by a Memorandum and by an Affidavit of Matthew D. Murphey, both being filed simultaneously herewith.

Dated: July 22, 2011

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/s/ Timothy P. Heaton

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